

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

IN RE ST. JUDE MEDICAL, INC. :
SILZONE HEART VALVE PRODUCTS :
LIABILITY LITIGATION : MDL DOCKET NO. 1396

JOINT STATUS CONFERENCE REPORT

(Telephonic Status Conference - May 15, 2003, 1:30 p.m.)

The parties have met and conferred and submit this status report to the Court.

**1. BRIEFING ON ST. JUDE MEDICAL'S MOTION FOR SUMMARY
JUDGMENT REGARDING PREEMPTION**

The Class will file its Opposition brief on May 16, 2003. St. Jude Medical will file its Reply brief on May 30, 2003. Hearing on the motion is set for June 6, 2003, at 1:30 p.m..

**2. FURTHER CLASS CERTIFICATION BRIEFING REGARDING
SUBCLASSES**

St. Jude Medical provided the Class with the numbers of class members residing in each state, district or territory of the United States that is currently reflected on St. Jude Medical's PDT database, and the states in which the implantations occurred. Pursuant to discussion on the record at the April 2, 2003 status conference, the Class will file an opening brief on choice of law and possible designation of subclasses on May 30, 2003.

St. Jude Medical will file its responsive brief on June 30, 2003. The Class will file a Reply brief on July 15, 2003.

3. STATUS OF ST. JUDE MEDICAL'S PETITION UNDER F.R.C.P. RULE 23(f) FOR INTERLOCUTORY APPEAL OF THE CLASS CERTIFICATION ORDER

After briefing by the parties, the Eighth Circuit Court of Appeals on May 6, 2003 denied St. Jude Medical's Rule 23(f) Petition without prejudice to its later reassertion after the discovery ordered by the district court has been completed and the court has entered its final class certification order.

4. DECLASSIFICATION OF PRIVILEGE LOG DOCUMENTS

St. Jude Medical has provided the Court for in-camera inspection a representative group of documents from its privilege log for which Class counsel has challenged St. Jude Medical's claims of privilege or work-product protection. The documents submitted in camera do not include "inadvertently produced" documents that the Court ordered must be returned to St. Jude Medical, but for which the Class is still challenging St. Jude Medical's claims of privilege or work-product protection.

5. DEPOSITION OF JAMES LADNER BEFORE SPECIAL MASTER SOLUM

The parties are attempting to reschedule the three-hour continuation of Mr. Ladner's MDL deposition before Rick Solum, pursuant to the Court's Order of April 3, 2003. The parties are currently discussing possible deposition dates during the week of June 9 and expect that they will be able to agree to a precise date for the continued

deposition of Mr. Ladner after Judge Gearin rules on St. Jude Medical's Motion For Protective Order as described in Paragraph 8 of this Joint Status Report.

6. SUBPOENA AND DOCUMENT PRODUCTION OF SULZER CARBOMEDICS

Shortly after the Court issued its April 7, 2003 Order to Show Cause directed to Sulzer Carbomedics, the company produced some documents to Class counsel pursuant to the outstanding subpoena. At that time, Class counsel apprised the Court Clerk of the development and suggested that the OSC be taken off calendar

7. DECLASSIFICATION OF AVERT DATA

This issue has been taken off calendar by the parties pending disclosure of the currently planned publication schedule of AVERT reports. St. Jude Medical has advised Plaintiffs' counsel of the expected publication date and, based upon same, Plaintiffs' counsel do not intend to further pursue declassification of the AVERT data.

8. REPORT ON MINNESOTA RAMSEY COUNTY STATE COURT PROCEEDINGS

There is a May 16 Status Conference and hearing on SJM's Motion For Protective Order to limit the time and scope of the deposition of James Ladner. Also scheduled is the hearing on plaintiffs' Motion to Amend their complaints to allow them to plead punitive damages. St. Jude Medical has moved to continue that hearing.

9. REPORT ON CANADIAN CLASS ACTION

The parties in the Canadian litigation will be participating in a mediation in Toronto that is scheduled to begin on May 20th. The class certification hearing is scheduled to commence on June 16th.

ZIMMERMAN REED, P.L.L.P.

Dated: May __, 2003

BY: _____
Charles S. Zimmerman #120054
J. Gordon Rudd, Jr. #222082
David M. Cialkowski #0306526
651 Nicollet Mall, Suite 501
Minneapolis, MN 55402
(612) 341-0400

LIAISON COUNSEL FOR PLAINTIFFS

James T. Capretz, Esquire
Anton D. Jensen, Esquire
CAPRETZ & ASSOCIATES
5000 Birch Street, Suite 2500
West Tower
Newport Beach, CA 92660
(949) 724-3000

Steven E. Angstreich, Esquire
Michael Coren, Esquire
Carolyn C. Lindheim, Esquire
LEVY, ANGSTREICH, FINNEY,
BALDANTE, RUBEINSTEIN &
COREN, P.C.
Woodcrest Pavilion, Ste. 100
Ten Melrose Place
Cherry Hill, New Jersey 08003
(856) 424-8967

LEAD COUNSEL FOR PLAINTIFFS

Joe D. Jacobson, Esquire
David T. Butsch, Esquire
GREEN, SCHAFF & JACOBSON, P.C.
7733 Forsyth Boulevard , Suite 700
Clayton, Missouri 63105
(314) 862-6800

LEAD COUNSEL FOR CLASS II PLAINTIFFS

HALLELAND, LEWIS, NILAN, SPIKINS, &
JOHNSON

Dated: May____, 2003

BY:_____

Tracy Van Steenburgh
220 South Sixth St. Suite 600
Minneapolis, MN 55402
(612) 338-1838

David E. Stanley
REED SMITH COSBY HEAFEY
335 South Grand Avenue, Suite 2900
Los Angeles, CA 90071
(213) 457-8000